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UNITED STATES GOVERNMENT

Memorandum

TO : THE FILE DATE: July 9, 1976

FROM : Jack Fuller

SUBJECT: John F. Kennedy Assassination

Jim Johnston, a staff member of the Senate Intelligence Committee and a former staff member of the Church Committee called today to discuss information he said the Church Committee had discovered but not published concerning the Kennedy assassination. Mr. Johnston had called on the same subject a week ago, asking whether he could visit with me to discuss whether the Department of Justice has any interest or jurisdiction concerning the evidence. Mr. Johnston declined to indicate with any precision--both in the first and second conversations--what the nature of the evidence is. He said it concerned associates of Lee Harvey Oswald and probably lying by witnesses in the Warren Commission proceedings. He said this evidence did not, as he saw it, involve any misconduct by federal officials. I told him I had asked the Office of Legal Counsel for an opinion concerning our jurisdiction over the matter. I have not yet received that opinion.

I discussed the matter with the Attorney General today. He agreed that we probably should refer the Church Committee's report on to Mike Shaheen for review to determine whether any prosecution or disciplinary steps should be undertaken. I told Mr. Johnston that I did not think evidence of possible criminal activity with respect to the Kennedy assassination should be handled informally. I told him that it ought to be referred by the Committee to the Department in a formal manner. He agreed, but he said he still wanted to discuss with me the question of jurisdiction as a first step.

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